Docket No.:

DECLARATION UNDER 35 USC §371(c)(4) FOR PCT APPLICATION FOR UNITED STATES PATENT

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below under my name;

I verily believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought, namely the invention entitled: https://doi.org/10.1081/j.com/namely-the-invention-entitled: <a href="https:/

described and claimed in international application number PCT/JP2003/013999 filed October 31, 2003.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations §1.56.

Under Title 35, U.S. Code §119, the priority benefits of the following foreign application(s) filed by me or my legal representatives or assigns within one year prior to my international application are hereby claimed:

Japanese Patent Application No. 2002-317011 filed October 31, 2002

The following application(s) for patent or inventor's certificate on this invention were filed in countries foreign to the United States of America either (a) more than one year prior to my international application, or (b) before the filing date of the above-named foreign priority application(s):

ALL CORRESPONDENCE IN CONNECTION WITH THIS APPLICATION SHOULD BE SENT TO OLIFF & BERRIDGE, PLC, CUSTOMER NUMBER 25944, TELEPHONE (703) 836-6400.

I hereby declare that I have reviewed and understand the contents of this Declaration, and that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1	Typewritten Fi of Sole or Firs		100	Kusuki		NISHIOKA
			G	iven Name	Middle Initial	- Family Name
2	Inventor's Signature:		lac	ele poelee.	 •	
3	Date of Signature:			March	18	2005
				Month	Day	Year
	Residence:		Shibuya-ku		Tokyo	Japan
		1	City		State of Province	Country
	Citizenship:	<u>Japanese</u>				
	Post Office Address: (Insert complete mailing address, including country)		4-1-5-802, Hiroo, Shibuya-ku, Tokyo 150-0012, Japan			

Note to Inventor: Please sign name on line 2 exactly as it appears in line 1 and insert the actual date of signing on line 3.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Kusuki NISHIOKA

Application No.: New U.S. National Stage of PCT/JP03/13999

Filed: April 25, 2005 Docket No.: 123598

For: THERAPEUTIC AGENT FOR FIBROMYALGIA

TRANSMITTAL OF POWER OF ATTORNEY AND STATEMENT UNDER 37 CFR § 3.73(b)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Submitted herewith are Power of Attorneys from the Assignees.

In compliance with 37 CFR §3.73(b), the undersigned hereby states that <u>NIPPON ZOKI PHARMACEUTICAL CO., LTD.</u> and <u>Kusuki NISHIOKA</u> are together the assignees of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventor of the patent application identified above. A copy of the assignment is attached hereto.

The undersigned is authorized to act on behalf of the assignee.

ALL CORRESPONDENCE IN CONNECTION WITH THIS APPLICATION SHOULD BE SENT TO OLIFF & BERRIDGE, PLC, CUSTOMER NO. 25944, TELEPHONE (703) 836-6400.

Respectfully submitted,

Eric D. Morehouse Registration No. 38,565

EDM/nxy

Date: April 25, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

GENERAL POWER OF ATTORNEY

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Owner Name: NIPPON ZOKI PHARMA	CEUTICAL CO. LTD.					
hereby appoints the patent practitioners associat	ed with Oliff & Berridge, PLC Customer					
No. 25944 as attorneys of record to prosecute ar	y and all patents and patent applications in					
which this General Power of Attorney is filed, and all continuations and divisions thereof,						
owned in whole or in part by the above-named owner, and to transact all business in the						
Patent and Trademark Office.						
The undersigned is authorized to execute this document as or on behalf of the owner.						
ALL CORRESPONDENCE SHOULD BE SICUSTOMER NO. 25944, TELEPHONE (703						
Date	Signature					
	Typed Name: Ikuro FUJII					
	Title: Directer					

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

GENERAL POWER OF ATTORNEY

Kusuki NISHIOKA

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Owner Name:

hereby appoints the patent practitioners associated with Oliff & Berridge, PLC Customer					
No. 25944 as attorneys of record to prosecute any and all patents and patent applications in					
which this General Power of Attorney is filed, and all continuations and divisions thereof,					
owned in whole or in part by the above-named owner, and to transact all business in the					
Patent and Trademark Office.					
The undersigned is authorized to execute this document as or on behalf of the owner.					
ALL CORRESPONDENCE SHOULD BE SENT TO OLIFF & BERRIDGE, PLC, CUSTOMER NO. 25944, TELEPHONE (703) 836-6400. Date Signature					
Date	Signature				
	Typed Name: Kusuki NISHIOKA				
	Title:				
	(if acting on behalf of an Owner)				